

Council Meeting – *Agenda*

CITY COUNCIL CALENDAR

Thursday, December 20, 2007 - 7:00 p.m.

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OPENING OF SESSION BY: CITY COUNCIL PRESIDENT DAVID ALVES

***PRAYER LED BY: REVEREND ROBERT OLIVEIRA, PASTOR, HOLY NAME OF THE
SACRED HEART CHURCH AND NEW BEDFORD FIRE DEPARTMENT CHAPLAIN***

PLEDGE OF ALLEGIANCE

***PLEASE NOTE: THE CITY COUNCIL'S ORGANIZATIONAL MEETING WILL BE HELD ON MONDAY,
JANUARY 07, 2008, AND THE NEXT REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL WILL
BE ON JANUARY 10, 2008.***

***THE NEW BEDFORD CITY COUNCIL WISHES EVERYONE A JOYOUS HOLIDAY SEASON
AND A VERY SAFE, HEALTHY AND HAPPY NEW YEAR – 2008!***

CITATIONS

1. CITATION, Councillor Gomes, honoring VIETNAM VETERAN ALBERT “BUDDY” RAMOS, in recognition of his Honesty, Integrity and Dedication to his Fellow Citizens.
2. CITATION, Councillor Gomes, honoring VIETNAM VETERAN ALBERT “BUDDY” RAMOS, in recognition of his past Service to his Country and its Citizens.
3. CITATION, Councillors Pina and DeMedeiros, honoring REVEREND DOCTOR RICHARD C. MALMQUIST in Recognition of NINE YEARS OF FAITHFUL DEDICATION AND SERVICE TO THE NORTH BAPTIST CHURCH. (Adopted at City Council Meeting of November 08, 2007 – To be Presented.)

RESOLUTIONS

4. RESOLUTION, Councillors Alves, Coelho, DeMedeiros, Gomes, Gonsalves, Koczera, Lawrence, Morad, Pina and Saunders, to Honor the MEMORY OF OUR FRIEND AND COLLEAGUE, COUNCILLOR WARD 6 - LEO R. PIMENTAL, 2007 PRESIDENT OF THE NEW BEDFORD CITY COUNCIL.
5. RESOLUTION, Council President Alves and Councillor Gonsalves, honoring COUNCILLOR WARD TWO PAUL KOCZERA.
6. RESOLUTION, Councillors Lawrence and Gonsalves, honoring COUNCILLOR WARD THREE JOSE F. DEMEDEIROS.
7. RESOLUTION, Councillors Lawrence and Gonsalves, honoring COUNCILLOR WARD FOUR VIOLA PINA.
8. RESOLUTION, Councillor Coelho, honoring the ORPHEUM RISING PROJECT HELPERS, INC., for their Initiative in Restoring the Historic and Beautiful ORPHEUM THEATRE.
9. RESOLUTION, Councillors Gonsalves and Lawrence, honoring and thanking ANNE BRENGLE, for her 13 years of work and dedication to the NEW BEDFORD WHALING MUSEUM and wishing her well in her new position.

10. RESOLUTION, Councillor Saunders, honoring the WHALING CITY CLIPPERS.
11. WITHDRAWN.
12. RESOLUTION, Councillors Lawrence and Gonsalves, NEW BEDFORD HIGH SCHOOL FOOTBALL CHEERLEADERS.
13. RESOLUTION, Councillor Coelho, honoring LOU GARIBALDI on the Occasion of his Retirement as Director of the Buttonwood Park Zoo.

MAYOR'S PAPERS

- M1. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of DR. WILLIAM LANGBAUER, who will be a New Bedford resident within ninety days of his appointment, as DIRECTOR OF ZOOLOGICAL SERVICES, effective January 6, 2008, as a Step 8 of the Unit C Salary Schedule, Grade M-11 at \$70,003.00.
- M2. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of CHRISTIAN A. FARLAND, 555 Lantern Lane, New Bedford, MA 02740, as a Member of the PLANNING BOARD, replacing Benjamin R. Watkins, Jr. who resigned at the end of this term; this term will expire December 2010.
- M3. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of HERSHEL ALPERT, 35 Meriam Street, New Bedford, MA 02740, as a Member of the AIRPORT COMMISSION; this term will expire December 2010.
- M4. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of BENJAMIN BAKER, 29 Water Street, Dartmouth, MA 02748, as a Member of the AIRPORT COMMISSION; this term will expire December 2010, and also requesting a WAIVER OF RESIDENCY for Mr. Baker.
- M5. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of GEORGE C. ARRUDA, 359 Shaw Street, New Bedford, MA 02745, as a Member of the COUNCIL ON AGING; this term will expire December 2010.
- M6. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DOLORES S. GOMES, 95 Maple Street, New Bedford, MA 02740, as a Member of the COUNCIL ON AGING; this term will expire December 2010.
- M7. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of HOWARD PRESCOTT, JR., 177 State Street, New Bedford, MA 02740, as a Member of the COUNCIL ON AGING; this term will expire December 2010.
- M8. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of JAMES DWYER, 176 Rounds Street, New Bedford, MA 02740, as a Member of the HARBOR DEVELOPMENT COMMISSION; this term will expire December 2010.
- M9. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of WILLIAM DOCARMO, 141 Alva Street, New Bedford, MA 02740, as a Member of the HUMAN RELATIONS COMMISSION; this term will expire December 2010.
- M10. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of BETH L. SYLVIA, 49 Eastland Terrace, New Bedford, MA 02740, as a Member of the HUMAN RELATIONS COMMISSION; this term will expire December 2010.
- M11. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of BRUCE OLIVEIRA, 119 Plymouth Street, New Bedford, MA 02740, as a Member of the NEW BEDFORD HOUSING AUTHORITY; this term will expire December 2012.

M12. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of WILLIAM J. VILLINEAU, 266 Pope Street, New Bedford, MA 02740, as Associate (Alternate) Member of the ZONING BOARD OF APPEALS; this term will expire December 2012.

M13. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of LYNN GARNETT, 303 Collins Corner Road, North Dartmouth, MA 02747, as a SPECIAL POLICE OFFICER.

M13a. APPLICATION,

M14. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of DAVID MEDEIROS, 198 Whitman Street, New Bedford, MA 02745, as a SPECIAL POLICE OFFICER.

M14a. APPLICATION,

M15. COMMUNICATION, Mayor Lang, to City Council, submitting a SEWER ABATEMENT REQUEST for Garry Siwik, 1013 Sassaquin Avenue, New Bedford, MA 02745, Account No. 021724A, in the amount of \$47.60.

CHARTER RULED ITEMS

CR1. ORDER, APPROPRIATING \$3,750,000.00, from FREE CASH, TO REDUCE THE FISCAL YEAR 2008 TAX LEVY.

CR2. ORDER, APPROPRIATING \$4,759,776.00 from FREE CASH, TO THE STABILIZATION FUND.

END OF CHARTER RULED ITEMS

OLD BUSINESS

OB1. ORDER, ADOPTING MINIMUM RESIDENTIAL FACTOR FOR FISCAL YEAR 2008.

END OF OLD BUSINESS

NEW BUSINESS

14. REPORT, Committee on Memorials & Dedications, recommending that the City Council ask Nelson Ostiguy the status of the re-constitution of the Mayor's Veterans Advisory Council.

15. REPORT, Committee on Memorials & Dedications, recommending that the City Council UPDATE THE LANGUAGE of the Veterans Advisory Council Ordinance (Chapter 25 Section 25-10) to include Iraq/Afghanistan Veterans and eliminate the WWI Veterans. (To be Referred to the Committee on Ordinances.)

16. REPORT, Committee on Ordinances, recommending that the City Council accept the recommendations of the City Clerk to ADOPT the process for the issuance of Livery Licenses by CITY COUNCIL ORDER, and that Attorney Gerwatowski review the Application to ensure its appropriateness; and further, that the renewal fee for livery licenses be changed to \$25 per year.

16a. CITY COUNCIL ORDER,

17. REPORT, Committee on Ordinances, recommending that the City Council ADOPT the proposed ORDINANCE Relative to Advertising on Trees and Poles.

17a. AN ORDINANCE, (To be Passed to a Second Reading.)

18. REPORT, Committee on Ordinances, recommending that the City Council ADOPT the ORDER, that the City accept M.G.L. c. 43D, which provides for an Expedited Municipal Permitting Process for parcels that qualify for designation as priority development sites under the provisions of said Chapter.

18a. AN ORDER,

19. REPORT, Committee on Ordinances, recommending to the full City Council that the City of New Bedford utilize the State Statute that allows for the fining of landlords owning nuisance properties, MGL Chapter 139 Sections 5, 15, 16A and 20; and further, that the Mayor's Office, Police Department, Inspectional Services, and all necessary departments be notified that it is the Council's intent to "blitz" these nuisance properties by holding landlords accountable for their

property and tenants in order to bring relief to the City's neighborhoods and residents, and that their enforcement of all existing laws will be needed and greatly appreciated in this endeavor.

20. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$273,934.00 from STABILIZATION FUND to TREASURER'S DEBT.

20a. AN ORDER,

21. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER, for the TRANSFER of \$4,000.00 from SALE OF LOTS to CEMETERY, CAPITAL OUTLAY.

21a. AN ORDER,

22. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the ORDER for the APPROPRIATION of \$1,400.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS to FIRE, CHARGES & SERVICES.

22a. AN ORDER,

23. REPORT, Committee on Finance, recommending to the City Council ADOPTION of AN ORDER, AS AMENDED, for \$2,877,000.00 be APPROPRIATED for the purpose of department equipment that to meet this Appropriation, the Treasurer, with the approval of the Mayor and the Committee on Finance, is authorized to borrow \$2,877,000.00 under Chapter 44 of the General Laws or any other enabling authority; that the Mayor is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the Bonds, and to provide such information and execute such documents as the Board may require for these purposes.

23a. LOAN ORDER, (To be Passed to a Second Reading as Amended in Committee on Finance to \$2,877,000.00)

24. LOAN ORDER, **ORDERED**, that \$6,000,000.00 is Appropriated for a fixed-based network automatic meter reading system or drive-by automatic meter reading system (depending upon the alternative selected by the City) that will furnish, install and test a complete and operating system that is capable of reading 100% of the meters in the City, including network control computer, software, data collection units, and related facilities and for the training program and the technical support during the contract period; that to meet this appropriation the Treasurer with the approval of the Mayor and the Committee on Finance is authorized to borrow \$6,000,000 under Chapter 44 of the General Laws or any other enabling authority; that the Mayor is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes. (Passed to a Second Reading 11/08/07, advertised 12/05/07 – to be Adopted.)

25. WRITTEN MOTION, Council President Alves, requesting that the FULL CITY COUNCIL VOTE TO REAPPOINT ATTORNEY DAVID J. GERWATOWSKI, 75 Brooklawn Street, New Bedford, MA 02745, as the Legislative Counsel to the City Council for the YEAR 2008.

26. WRITTEN MOTION, Councillors Coelho and Koczera, requesting that DIS perform a full inspection of 11 NYE STREET, due to garbage issues, the threat to public health and the many past violations at this address; further, due to the number of calls noted on the Police Department Log to this crime-ridden building, which is infested with gang members, prostitutes, drug dealers and users, requesting that the City's Law Department, working with our Police Department, close this building as soon as possible because of the threat it presents to law-abiding Citizens, the blight it causes on the entire neighborhood, which has been well documented and frequently discussed at the Bullard Street Neighborhood Association Meetings, as well as the further danger it presents to public safety by straining available Police and other emergency resources when they are needed at other problems in this area and/or throughout the City.

27. WRITTEN MOTION, Councillor Koczera, requesting that the Committee on Ordinances take the necessary steps to establish a "user fee" for properties that go above and beyond the average quota for Police and/or other Emergency calls for service in a calendar year, also specifying that any fees assessed to these calls for service would be attached to those properties' tax bills; and further, asking that the City Council's Ordinance Committee, in cooperation with the Mayor's Office/City Solicitor's Office, establish the fee amount and the number of calls (and types) allowed without fees per calendar year.

28. WRITTEN MOTION, Councillor Koczera, requesting that the Committee on Public Safety and Neighborhoods meet with the Chief of Police to discuss what mechanisms can be put in place to reduce the number of unnecessary calls made to the Police Department by or to certain properties in the City of New Bedford.

29. WRITTEN MOTION, Council President Alves, in light of the rampant vandalism and thefts throughout the City by vandals breaking into vacant or foreclosed properties to steal copper plumbing, wiring, etc., which are often sold to local and area recycling facilities, requesting that the City Council's Committee on Ordinances and Legislative Counsel, working with the City Solicitor, draft an Ordinance that would deal with recycling facilities/scrap metal dealers in the same fashion that the City deals with pawnbrokers, by requiring full disclosure records on purchases, etc.; and further, that Mass General Laws and City Ordinances pertaining to Junk, Old Metals, Second Hand Article Dealers and Junk Collectors be reviewed as well, to incorporate within the Ordinance(s) legal means of ensuring that none of these Licensees become a haven for the sale of stolen items.

30. WRITTEN MOTION, Councillor Coelho, requesting, on behalf of Manuel and Maria Ramos, 118 Moss Street, that the DPF/Forestry Division address the overgrown tree on the City sidewalk in front of said address, due to the roots of the tree digging into their house and interfering with their wiring. (To be referred to the DPF/Forestry Division.) (Photographs of damage to be presented at City Council Meeting of 12/20/07.)

31. WRITTEN MOTION, Councillor Lawrence, requesting that the Traffic Commission post an "EMERGENCY VEHICLE or BRISTOL COUNTY SHERIFF OFFICE PASSES PARKING ONLY - ALL OTHER VEHICLES WILL BE TOWED" sign on the Ash Street side of the Bristol County House of Corrections; contact person is Col. Mike Reedy, at 508-996-6704. (To be referred to the Traffic Commission.)

32. WRITTEN MOTION, Councillor Coelho, requesting that the New Bedford Police Department increase patrols along Rivet Street, from the Goulart Square area to County Street, due to many complaints from concerned Citizens about the increase of violent crime that has hit that area recently, including a murder; further, requesting that the Department of Inspectional Services visit restaurants in said area to make sure they are in compliance with and up to Code; further, asking that the Department of Public Facilities re-evaluate the entire area for increased lighting; and further requesting, that the City's Animal Control Officers also patrol the area, due to the many complaints by fearful residents and shopkeepers of loose, unregistered pit bull dogs roaming the streets, and doing their business off lead. (To be Referred to the Police Department, the Department of Inspectional Services, the Department of Public Facilities and Animal Control.)

33. WRITTEN MOTION, Councillor Coelho, requesting, on behalf of concerned parents, and in the interest of public safety, that the Mother Teresa Playground owned by the City of New Bedford, located at the corner of North Street and Chestnut Street, be properly maintained, and that the sinkhole that has appeared there be immediately repaired by Parks/Recreation Department or the Department of Public Facilities, since a child broke two front teeth in a fall caused by said hole.

34. WRITTEN MOTION, Council President Alves, requesting, on behalf of FIRST NIGHT NEW BEDFORD, INC., that the following street(s) be CLOSED: The Perimeter of Custom House Square, as follows: NORTH SECOND STREET, from Union Street to Elm Street; BARKER'S LANE, from North Second Street to Acushnet Avenue; ACUSHNET AVENUE, from Union Street to Elm Street; PURCHASE STREET, from Union Street to Elm Street; WILLIAM STREET, from Purchase Street to North Second Street; on MONDAY, DECEMBER 31, 2007, AT 4:00 P.M. THROUGH TUESDAY, JANUARY 01, 2008, 1:00 A.M., for the purpose of THE CITY'S FIRST NIGHT NEW YEAR'S CELEBRATION.

35. WRITTEN MOTION, Councillor Coelho, on behalf of the owner of 373 Belleville Avenue, requesting that DPI Commissioner Ronald Labelle, repair and/or correct the drainage problem and turf issue at Riverside Avenue Park, that is causing 373 Belleville Avenue basement to flood every time it rains.

36. WRITTEN MOTION, Councillor Pina, requesting that DPF Superintendent of Parks and Public Places Kenneth Blanchard install new lighting around the new housing complexes in the Mill Street, Cedar Street and Cottage Street area.

37. WRITTEN MOTION, Councillors Koczera and Coelho, asking that the City Council request that emergency funds be provided to remove the burned-out structure at 32 Nye Street, seeing that this building contributes to the blight of the neighborhood, and also, because this structure could attract vagrants and other unsavory characters to this location.

38. WRITTEN MOTION, Councillors Koczera and Coelho, asking that the City Council Committee on Appointments and Briefings request the presence of Director Patrick Sullivan, Office of Community Development, and a representative of Mayor Scott W. Lang, and, if possible, a representative from and/or the loan holder of 11 Nye Street, to discuss the future plans for 11 Nye Street and see if there is a chance to turn this blighted building into a viable living development under the watchful eye of local ownership; and further, that a housing partnership be formulated to include stakeholders from the City, Neighborhood Leaders, PACE, YouthBuild, Interfaith Church Agencies, and other interested parties, to provide a useful purpose to this 12-family housing unit rather than have it remain boarded up forever, especially after so much effort went into the Pierce Mill Waterfront Park directly across the street.

39. WRITTEN MOTION, Councillors Gonsalves and Morad, requesting that the Committee on Appointments and Briefings meet with Scott Alfonse, Administrator for the Zoning Board of Appeals and a Representative from the Mayor's Office to discuss ongoing issues regarding the hiring of support personnel for the Zoning Board of Appeals, as well as the appointment to and attendance of, a sufficient number of Commissioners for the Board to operate appropriately. (To be referred to the Committee on Appointments and Briefings.)

40. WRITTEN MOTION, Councillor Pina, Chairperson, Committee on Public Safety and Neighborhoods, requesting that the Committee on Public Safety and Neighborhoods be **DISCHARGED** from further consideration of the following matter: COMMUNICATION, Mayor Lang, to City Council, submitting a copy of the City of New Bedford's Natural Hazard Disaster Mitigation Plan November 2006, developed by Pre-Disaster Mitigation Planning Committee and Approved by the Mayor on November 30, 2006, and requesting favorable consideration and adoption of the plan by the City Council, and that this NATURAL HAZARD DISASTER MITIGATION PLAN be ADOPTED (Packet.)

40a. COMMUNICATION, Mayor Lang, to City Council, (Submitting PACKET - As stated above.)

40b. COMMUNICATION/PACKET, CITY OF NEW BEDFORD NATURAL HAZARD DISASTER MITIGATION PLAN – NOVEMBER 2006.

41. WRITTEN MOTION, Councillor Pina, Council President Alves and Councillor Koczera, asking that the City Council Committee on Appointments and Briefings request the Purchasing Agent and the City's Compliance Officer to supply the Committee with a complete breakdown of those employed for all public work jobs in the City; further, that they look into and report back to the Committee, PRIOR TO the demolition of Elco Dress, as to the process used in awarding the two contracts to demolish the Elco Dress Building and the former Keith Jr. High School, to determine why the contracts have been awarded without ensuring that the City Ordinance (Responsible Employer Act,) which requires City Contracts over the \$100,000 level to meet the requirements for local hiring (New Bedford Residents 50%, 13% Minorities and 6.9% women,) and why the Company is not hiring in compliance with the Ordinance; and further, to ensure that they and the current Administration are informed and educated as to this Ordinance and that it is adhered to when future contracts are to be awarded, and that the Purchasing Agent and Compliance Officer and/or a Representative from the Administration also report what actions have been taken to ensure that the local hiring requirements have been met and at what levels.

42. WRITTEN MOTION, Councillor Gomes, requesting that the City Council go on record and request Congressman Frank to file a Bill or to address the issue of the Medicaid loss of Sixty Billion Dollars last year to fraud; and further, that the Bill, if filed by Congressman Frank, address the issue of not only the companies that are involved in the fraud of billions of dollars of Medicaid, but also the patients that are participating in this Medicaid fraud, which is taking billions of dollars away from other entities in this Country along with, and more importantly, those less fortunate being covered by Medicaid not being able to be covered or provided with the equipment needed for their rehabilitation.

43. WRITTEN MOTION, Councillor Gomes, requesting that the Mayor and the Police Chief consider putting overtime Traffic Division Personnel or Officers on our City Streets, especially after the hours of 4:00 p.m., for those speeding in hot spot areas throughout the City; this Petitioner feels that this is warranted overtime, seeing revenue will be generated by the tickets, and more importantly, the safety factor that will be in place by having these Officers out there at certain times after 4:00 p.m., making some of our roadways safer than what they already are and fining those violators, throughout the City, for speeding.

44. WRITTEN MOTION, Councillor Gomes, requesting once more, that a letter be sent to the Board of Health requesting that they provide the Clerk's Office with a list of fast food operations in the City, including donut shops; and further, that a letter be sent to all those listed, advising them of the new "Trash Barrel Law" in the City, and the implementation of said Law, which took effect last year, yet, to date, many of the fast food and donut shops are not providing the required trash receptacles that the Ordinance states, which would assist the City in alleviating some of the trash left on our City Streets.

45. WRITTEN MOTION, Councillor Gomes, requesting that the Mayor and the Police Chief give an opportunity to the Patrolmen and the Police Union to place a message on the side of the cruisers, the wording of which would come from, and be decided by, the Union or the Patrol Officers themselves, to express in their own words to the people of this City how they feel about serving; this SLOGAN, which could be something like "Protect and Serve" etc., would appear on each and every new police vehicle going on patrol in the City; and further, that a website address be placed on each cruiser that can be utilized by the Citizens of this City to notify police of any criminal activity within their neighborhood, or any issue that they would like to address with the Police Force – something similar to www.newbedfordpolice.com, and have it placed on the top of the back windshield of cruisers across the City making it available for all the Citizens.

46. WRITTEN MOTION, Councillor Gomes, requesting, once more, that the City Council send letters to our State and Federal Leadership, requesting any assistance that they can give to the City of New Bedford in areas of extra monies or appropriations that would assist the City in daily operations, and also address some of the infrastructure or road repairs that may be needed in the City, along with assistance seeking relief, possibly payment such as cost to the secondary sewer treatment plant, etc.; and further, that those letters be sent as soon as possible and signed by each and every City Councillor, along with the City Council President.

47. COMMUNICATION, First Assistant City Solicitor Jane Medeiros Friedman, to City Council, submitting a draft ORDINANCE Amending Section 19-135.2 to establish EMS rates that are equal to the Medicare National Fee Schedule +50% to reflect the "reasonable and customary" rate for ambulance services.

47a. AN ORDINANCE,

48. COMMUNICATION/EMAILS, Councillor Gonsalves, to and from Ann Tavares-Bishundayal, re: Cleaning of City Sidewalks and Crosswalks. (To be Referred to the Committee on Ordinances.)

49. COMMUNICATIONS/EMAILS, Patricia Tapper, State Attorney General's Office, to Mr. Geoffrey Mann and Councillor DeMedeiros, responding to complaint filed by Councillor DeMedeiros, on behalf of Mr. Mann, regarding horrible conditions and service at Days Inn, Hathaway Road, New Bedford. (Submitted by Councillor DeMedeiros.)

50. COMMUNICATIONS/EMAILS, Mr. Geoffrey Mann, to Councillor DeMedeiros, regarding horrible conditions and service at Days Inn, Hathaway Road, New Bedford and stating that the Days Inn has not responded to the Better Business Bureau, who wrote them about his aforementioned complaints, also stated that, although promised a full refund, no money has been received. (Submitted by Councillor DeMedeiros.)

51. COMMUNICATION, Assistant City Solicitor Markey, to City Council, submitting copy of New Bedford Municipal Golf Course – Contract #650-5-556 to all Councillors on November 26, 2007.

52. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, November 09, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: 154 Brooklawn Court, Plot 116/Lot 173, with an Area of 3,553 square feet. Former Owner(s): Donald M. Constant; Total Amount due on the parcel as of the date of the Decree is \$78,496.33.

53. COMMUNICATION, Executive Director Joseph E. Connarton, Commonwealth of Massachusetts Public Employee Retirement Administration Commission (PERAC), to New Bedford Retirement Board, furnished the Retirement Board with the required amount to be appropriated for the retirement system for Fiscal Year 2009, commencing July 1, 2008. (Copy all Councillors 12/10/07.)

54. COMMUNICATION, Virginia Valiela, Executive Director Greater New Bedford Regional Refuse Management District, to City Clerk, informing of appointment of Jeffrey King, 53 Fielding Street, New Bedford, MA 02745 as Treasurer of the District and requesting that Mr. King be sworn in; City Clerk submitting communication on date Mr. King is Qualified – the 12th day of December 2007.

55. COMMUNICATION/INVITATION, Trustees of New Bedford Whaling Museum, to City Council, extending invitation to join them in celebrating ANNE BRENGLE, Wednesday, December 05, 2007, 7:00 p.m., in the Museum's "Jacobs Family Gallery." (Copy all Councillors 11/29/07-RSVP.)

56. COMMUNICATION/INVITATION/FAX, YWCA Executive Director Gail Fortes, to City Council, extending invitation to Holiday Reception to Celebrate the preservation of the Levi Standish House on December 06, 2007, from 6:00 p.m. to 8:00 p.m. (Copy all Councillors 11/30/07-RSVP.)

57. COMMUNICATION/INVITATION/EMAIL, Environmental Agent Sarah Porter, to various personnel, including City Councillors and City Clerk, extending invitation to Environmental Coffee Hour on December 12, 2007, from 7:30 A.M. TO 8:30 A.M., Room 314 at City Hall, to network and discuss New Bedford's "environmental realm." (Emailed to all Councillors 12/05/07.)

TABLED BUSINESS

02/23/06 WRITTEN MOTION, Councillor Saunders, requesting RECONSIDERATION on the matter of the COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007. (Appointment Confirmed – Yeas 11, Nays 0 at the regular City Council Meeting on February 09, 2006 Agenda.) (Note: This Item, which is Item #L14 on Late File Agenda was confirmed on a Substitute Motion by Councillor Morad, which was allowed, and Appointments Confirmed on Items L8, L10, L11, L12, L14, L16, L31 and L33.)

02/23/06 COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007.

07/20/06 CITATION, Councillor Pina, honoring PAUL PELLETIER, in recognition of his Years of Service to the Residents of Boa Vista Housing Development as President of the Tenant Association for the past Six Years.

08/17/06 CITATION, Councillor Pina, honoring BELMIRO FERNANDES, United States National Guard, in recognition of his serving our Country in Operation Iraqi Freedom, from September 06, 2005, until July 06, 2006.

08/17/06 RESOLUTION, Council President Alves, recognizing AUGUST 09, 2006, as COMCAST/TOON DISNEY'S PASSPORT TO READING DAY IN NEW BEDFORD.

08/17/06 RESOLUTION, Council President Alves, honoring POLICE OFFICER PAUL FONSECA for his HEROIC ACTIONS AT THE SAVOY NURSING HOME FIRE – JULY 23, 2006.

01/25/07 WRITTEN MOTION, Councillor Pina, requesting, on behalf of the residents of Hillman Street, that the Traffic Commission issue Residential Parking signs to the neighbors surrounding the Quest Center and New Directions, as the employees, and visitors are taking up all the parking spaces, and, since there is no residential off-street parking at their homes, the residents are in need of parking places.

02/08/07 HEARING, on APPLICATION of CYNTHIA AND ERIC BELINKOFF, 366 HATHAWAY REALTY TRUST, 366 HATHAWAY ROAD, NEW BEDFORD, MA 02740, requesting AN INCREASE in License to keep, store and/or sell products of CRUDE PETROLEUM or any of its products, at 366 HATHAWAY ROAD, being Plot 94, Lot 20; Application is for 40,000 GALLONS (from 25,520 gallons) of gasoline and diesel fuels underground. (License for 25,520 gallons was previously granted on September 13, 1973, to Texaco, Inc., and registered to 366 Hathaway Realty Trust in August 2006.) (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

02/08/07 AN ORDER, (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

05/24/07 CITATION, Councillors Alves and Pina, honoring P.A.C.E. (PEOPLE ACTING IN COMMUNITY ENDEAVORS,) in recognition of 25 YEARS OF SERVICE TO THE GREATER NEW BEDFORD AREA.